

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 42569

STATE OF IDAHO, ) 2016 Unpublished Opinion No. 594  
 )  
Plaintiff-Respondent, ) Filed: July 13, 2016  
 )  
v. ) Stephen W. Kenyon, Clerk  
 )  
DERRICK CHRISTOPHER MILES, ) THIS IS AN UNPUBLISHED  
 ) OPINION AND SHALL NOT  
Defendant-Appellant. ) BE CITED AS AUTHORITY  
 )  
\_\_\_\_\_ )

Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. George A. Southworth, District Judge.

Judgment of conviction and sentence, affirmed.

Sara B. Thomas, State Appellate Public Defender; Brian R. Dickson, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

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Before GUTIERREZ, Judge; GRATTON, Judge;  
and HUSKEY, Judge  
\_\_\_\_\_

PER CURIAM

Derrick Christopher Miles entered an *Alford*<sup>1</sup> plea to possession of a controlled substance, Idaho Code § 37-2732(c)(1). The district court imposed a unified seven-year sentence, with four years determinate, suspended the sentence, and placed Miles on a term of probation. Miles appeals, contending that his sentence is excessive.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-

<sup>1</sup> *See North Carolina v. Alford*, 400 U.S. 25 (1970).

15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Miles' judgment of conviction and sentence is affirmed.<sup>2</sup>

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<sup>2</sup> The State moved this Court to dismiss the appeal because Miles is a fugitive and not entitled to the resources of the appellate process. Because this opinion was decided on the merits and for reasons of judicial economy and efficiency, we do not need to address the issue.